Regulations on Coal Mine Safety Production of the PRC

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of strengthening coal mine work safety, preventing and reducing coal mine production safety accidents, and safeguarding the safety of people's lives and property.

Article 2 — These Regulations apply to coal mine work safety within the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China.

Article 3 — Coal mine work safety shall uphold the leadership of the Communist Party of China.

Coal mine work safety shall be people-oriented, uphold the supremacy of the people and the supremacy of life, put the protection of people's lives first, implement the concept of safe development, adhere to the principle of safety first, prevention-oriented and comprehensive governance, and prevent and resolve major safety risks at the source.

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Coal mine work safety shall implement the requirements that those who administer an industry must administer safety, those who administer a business must administer safety, and those who administer production and operation must administer safety, and shall, in accordance with national supervision, local regulation and enterprise responsibility, strengthen and implement work safety responsibilities.

Article 4 — Coal mining enterprises shall fulfill the primary responsibility for work safety, strengthen work safety management, establish, improve and implement a responsibility system for work safety covering all employees and rules and regulations for work safety, increase safeguards for investment in work safety funds, materials, technology and personnel, improve work safety conditions, strengthen the standardization and informatization of work safety, build a dual prevention mechanism of hierarchical management and control of safety risks and investigation and rectification of hidden dangers, improve the mechanism for preventing and resolving risks, raise the level of work safety, and ensure work safety.

The principal person in charge of a coal mining enterprise (including the actual controller, the same below) is the first person responsible for work safety in the enterprise and bears overall responsibility for the work safety of the enterprise. Other persons in charge shall bear responsibility for work safety within the scope of their duties.

Article 5 — People's governments at or above the county level shall strengthen leadership over coal mine work safety, establish and improve working coordination mechanisms, support and urge the relevant departments to perform their duties in coal mine work safety in accordance with the law, and promptly coordinate and resolve major issues in coal mine work safety.

Article 6 — The departments of people's governments at or above the county level that are responsible for the supervision and administration of coal mine work safety shall exercise supervision and administration over coal mine work safety, and other relevant departments shall perform their related duties in coal mine work safety in accordance with the law according to the division of responsibilities.

Article 7 — The state implements a coal mine safety supervision system. The national mine safety supervision institution and its local mine safety supervision institutions shall be responsible for coal mine safety supervision and shall, in accordance with the law, supervise and inspect the coal mine work safety supervision and administration performed by local people's governments.

The national mine safety supervision institution and its local mine safety supervision institutions shall perform their coal mine safety supervision duties in accordance with the law and shall not be subject to interference by any entity or individual.

Article 8 — The state implements a system of accountability for coal mine production safety accidents. The entities and personnel responsible for coal mine production safety accidents shall be held legally liable in accordance with these Regulations and the relevant laws and regulations.

The national mine safety supervision institution and its local mine safety supervision institutions shall, in accordance with the law, organize or participate in the investigation and handling of coal mine production safety accidents.

Article 9 — The departments of people's governments at or above the county level that are responsible for the supervision and administration of coal mine work safety, and the national mine safety supervision institution and its local mine safety supervision institutions shall establish a reporting system, publicize online reporting platforms such as reporting telephone numbers, mailboxes or e-mail addresses, accept reports concerning coal mine work safety and handle them in a timely manner in accordance with the law; where the matter needs to be investigated and handled by other departments, it shall be transferred to those departments.

Any entity or individual shall have the right to report accident hazards or work safety violations to the departments and institutions specified in the preceding paragraph. Where a reported matter is verified to be

true, rewards shall be granted in accordance with the law and regulations.

Article 10 — Employees of coal mining enterprises shall have the right to obtain work safety safeguards in accordance with the law, and shall perform their work safety obligations in accordance with the law.

Article 11 — The national mine safety supervision institution shall, in accordance with the requirements for ensuring coal mine work safety and under the guidance of the emergency management department of the State Council, formulate in a timely manner national standards or industry standards for coal mine work safety in accordance with the law, and shall be responsible for proposing, organizing the drafting of, soliciting opinions on, and conducting technical review of compulsory national standards for coal mine work safety.

Article 12 — The state encourages and supports scientific and technological research on coal mine work safety and the promotion and application of advanced technologies and processes for coal mine work safety, enhances the level of intelligent coal mining, advances the scientific management of coal mine work safety, and raises the level of work safety.

Chapter II — Work Safety Responsibilities of Coal Mining Enterprises

Article 13 — Coal mining enterprises shall comply with the laws and regulations concerning work safety and coal mine safety rules, and implement the national standards or industry standards for ensuring work safety.

Article 14 — The construction entity of a newly built, reconstructed or expanded coal mine project (hereinafter referred to as a coal mine construction project) shall entrust a design entity qualified for construction engineering design to carry out the design of safety facilities.

The design of safety facilities shall include prevention and control measures against major hazards such as water, fire, gas, rockburst, coal dust and roof, shall comply with the requirements of national standards or industry standards, and shall be submitted for review to the department of the people's government of the province, autonomous region or municipality directly under the Central Government that is responsible for the supervision and administration of coal mine work safety. Where a major change to the design of safety facilities is required, it shall be submitted to the original reviewing department for re-review, and construction shall not be commenced before approval or modified while construction is under way.

Article 15 — The construction entity of a coal mine construction project shall exercise unified coordination and management over the design, construction and supervision entities participating in the coal mine construction project, and shall bear overall responsibility for the safety management of the coal mine construction project.

The construction entity shall carry out construction in accordance with the approved design of safety facilities and shall not alter the design content without authorization.

Article 16 — Before a coal mine construction project is completed and put into production or use, the construction entity shall be responsible for organizing acceptance of the safety facilities and shall be responsible for the acceptance results; the project may be put into production and use only after passing acceptance.

Article 17 — Coal mining enterprises shall, in accordance with the provisions of the Regulations on Work Safety Permits, obtain a work safety permit before engaging in production. Those without a work safety permit shall not engage in production.

Article 18 — The principal person in charge of a coal mining enterprise shall perform the following duties for work safety in the enterprise:

(1) establishing, improving and implementing a responsibility system for work safety covering all employees, and strengthening the standardization of work safety;

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(2) organizing the formulation and implementation of work safety rules and regulations, operating rules and operating procedures;

(3) organizing the formulation and implementation of plans for work safety education and training;

(4) ensuring the effective implementation of investment in work safety;

(5) organizing the establishment and implementation of a dual prevention mechanism of hierarchical management and control of safety risks and investigation and rectification of hidden dangers, supervising and inspecting work safety, and eliminating accident hazards in a timely manner;

(6) organizing the formulation and implementation of emergency rescue plans for production safety accidents;

(7) reporting coal mine production safety accidents in a timely and truthful manner.

Article 19 — Coal mining enterprises shall establish work safety management bodies and staff them with full-time work safety management personnel. The work safety management bodies and personnel shall perform the following work safety duties:

(1) organizing or participating in the formulation of work safety rules and regulations, operating rules, operating procedures and emergency rescue plans for production safety accidents;

(2) organizing or participating in work safety education and training, and truthfully recording the work safety education and training;

(3) organizing publicity and education on work safety laws and regulations;

(4) organizing identification and assessment of safety risks, and urging the implementation of control measures for major safety risks;

(5) stopping and correcting violations of command, forcing employees to work at risk, and acts contrary to the rules, and having the right, upon discovering an emergency that threatens safety, to require the immediate cessation of operations in the dangerous area and the evacuation of operating personnel;

(6) inspecting work safety conditions, investigating accident hazards in a timely manner, conducting statistical analysis of the investigation and rectification of accident hazards, and proposing suggestions for improving work safety management;

(7) organizing or participating in emergency rescue drills;

(8) urging the implementation of work safety rectification measures.

Coal mining enterprises shall be staffed with a principal technical person in charge and shall establish, improve and implement a technical management system.

Article 20 — Employees of coal mining enterprises shall perform the following work safety duties:

(1) complying with the work safety rules and regulations, operating rules and operating procedures of the coal mining enterprise, and strictly implementing post safety responsibilities;

(2) participating in work safety education and training, mastering the work safety knowledge required for their own work, improving work safety skills, and enhancing the ability to prevent accidents and respond to emergencies;

(3) reporting in a timely manner accident hazards or other unsafe factors discovered.

Employees of coal mining enterprises shall have the right to refuse any command in violation of rules and any order forcing them to work at risk, and shall report such acts to the department of the people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety and to the local mine safety supervision institution.

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Coal mining enterprises shall not, because an employee refuses a command in violation of rules or an order forcing work at risk, reduce the employee's wages, benefits or other treatment, adjust the employee's post without justifiable reason, or terminate the labor contract concluded with the employee.

Article 21 — The principal person in charge and work safety management personnel of a coal mining enterprise shall pass the assessment of work safety knowledge and management ability, and shall continuously maintain the corresponding level and ability.

Employees of coal mining enterprises may take up their posts only after passing work safety education and training. Personnel performing special operations in coal mining enterprises shall, in accordance with relevant state provisions, pass specialized safety technical training and assessment and obtain the corresponding qualifications.

Article 22 — Coal mining enterprises shall be staffed, for each coal mine, with a full-time mine manager, a chief engineer, deputy mine managers in charge of safety, production and mechanical and electrical affairs, and professional and technical personnel.

For coal mines with coal (rock) and gas (carbon dioxide) outburst hazards, high gas content, rockburst hazards, coal seams prone to spontaneous combustion, or complex or extremely complex hydrogeological conditions, dedicated prevention and control bodies shall also be established and staffed with full-time deputy chief engineers.

Article 23 — Coal mining enterprises shall establish and improve a system of leadership duty on shift in accordance with relevant state provisions and shall strictly assess it.

The persons in charge and production and operation management personnel of underground coal mining enterprises shall take turns leading shifts underground and shall establish a registration archive of underground duty.

Article 24 — Coal mining enterprises shall provide employees with labor protection articles that comply with national standards or industry standards, and shall supervise and educate employees to wear and use them in accordance with the rules of use.

A system of limiting the number of personnel for coal mine underground operations shall be implemented. Coal mining enterprises shall, in accordance with the law, formulate a management system for underground working hours. Labor dispatch shall not be used for underground posts in coal mines.

Article 25 — The design, manufacture, installation, use, inspection, maintenance, modification and scrapping of safety equipment used by coal mining enterprises shall comply with national standards or industry standards.

Coal mining enterprises shall establish ledgers and a traceability and management system for safety equipment, carry out regular maintenance, care and periodic inspection of safety equipment to ensure normal operation, and keep complete-process records of and archive the purchase, warehousing, use, maintenance, care, inspection, repair, modification and scrapping of safety equipment.

Coal mining enterprises shall not use equipment or processes that should be eliminated and that endanger work safety; the specific catalogue shall be formulated and published by the national mine safety supervision institution.

Article 26 — The main production systems of a coal mine, such as coal mining, tunneling, mechanical and electrical, transportation, ventilation, drainage and spoil disposal, as well as safety facilities for gas prevention, prevention of coal (rock) and gas (carbon dioxide) outbursts, rockburst prevention, fire prevention, water prevention and control, dust prevention, heat damage prevention, landslide prevention, and monitoring and communication, shall comply with the management and technical requirements prescribed by coal mine safety rules and national standards or industry standards.

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Coal mining enterprises and their relevant personnel shall not shut down or damage monitoring, alarm, protection or life-saving equipment and facilities directly related to work safety, or tamper with, conceal or destroy their relevant data and information, and shall not affect their normal use by any means.

Article 27 — Underground coal mines shall have safe exits, independent ventilation systems, safety monitoring systems, dust-prevention water supply systems, fire prevention and extinguishing systems, power supply and distribution systems, personnel transport devices and drawings reflecting the actual conditions of the coal mine that comply with coal mine safety rules and national standards or industry standards, and shall conduct identification of gas grade, rockburst hazard, coal seam spontaneous combustion tendency and coal dust explosiveness in accordance with the provisions.

Underground coal mines shall select corresponding coal mine permitted explosives and electric detonators according to the gas grade of the mine, and blasting work shall be undertaken by full-time blasters.

Article 28 — A sufficient safety distance shall be maintained between the slopes of the mining area and spoil disposal area of an open-pit coal mine and important buildings and structures.

Coal mining enterprises shall regularly evaluate the slope stability of open-pit coal mines, and the scope of evaluation shall cover all slopes of the open-pit coal mine. Where the requirements for slope stability are not met, the mining design shall be modified or safety measures shall be taken, and slope monitoring shall be strengthened.

Article 29 — Coal mining enterprises shall, in accordance with the law, formulate emergency rescue plans for production safety accidents, which shall be connected with the emergency rescue plans for production safety accidents formulated and organized by the local people's governments at or above the county level, and shall organize regular drills.

Coal mining enterprises shall establish full-time rescue teams; where the conditions for establishing a full-time rescue team are not met, a part-time rescue team shall be established and a rescue agreement shall be signed with a neighboring full-time rescue team. In the event of an accident, the full-time rescue team shall arrive at the coal mine within the prescribed time to carry out rescue.

Article 30 — Coal mining enterprises shall carry out production within the mining scope determined in accordance with the law, and shall not mine beyond levels or beyond boundaries.

Mining operations shall not mine protective coal pillars without authorization, and shall not adopt dangerous methods such as water inrush, blasting or through-cutting roadways that may endanger the work safety of adjacent coal mines.

Article 31 — Coal mining enterprises shall not organize production beyond capacity, beyond intensity or beyond the fixed number of personnel. Where the production capacity of a normally producing coal mine undergoes a significant change due to changes in geological conditions, production technical conditions, coal mining methods or processes, its production capacity shall be re-verified in accordance with the law.

Local people's governments at or above the county level and their relevant departments shall not require coal mining enterprises that do not meet work safety conditions to carry out production.

Article 32 — Coal mining enterprises shall implement disaster control in accordance with the degree and type of coal mine hazards, formulate annual disaster prevention and handling plans, and modify them in a timely manner according to specific conditions.

Article 33 — Where coal mining falls under any of the following circumstances, a special design shall be prepared:

(1) where there is a hazard of coal (rock) and gas (carbon dioxide) outburst;

(2) where there is a rockburst hazard;

(3) where mining involves coal under buildings, water bodies or railways that need protection, or where coal pillars are reserved for main roadways;

(4) where the hydrogeological conditions are complex or extremely complex, or where there are old mine goaf areas in the vicinity;

(5) where coal seams prone to spontaneous combustion or spontaneous combustion coal seams are mined;

(6) other circumstances requiring the preparation of a special design.

Article 34 — For hazardous operations in coal mines such as cross-cut uncovering of coal seams, exploratory water drainage, roadway through-cutting, coal bunker cleaning, forced roof caving, sealing and unsealing of fire zones, hot work, and other hazardous operations prescribed by the national mine safety supervision institution, special safety technical measures shall be adopted and dedicated personnel shall be arranged for on-site safety management.

Article 35 — Coal mining enterprises shall establish a system of hierarchical management and control of safety risks, carry out identification and assessment of safety risks, and adopt corresponding control measures according to the classification of safety risks.

Coal mining enterprises shall establish and improve a system for the investigation and rectification of accident hazards, adopt technical and management measures, and discover and eliminate accident hazards in a timely manner. The investigation and rectification of accident hazards shall be truthfully recorded and periodically reported to employees. Written reports on the investigation and rectification of major accident hazards shall, after being signed by the person in charge of the coal mining enterprise, be submitted quarterly to the department of the local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety and to the local mine safety supervision institution.

Coal mining enterprises shall strengthen the safety management of their subordinate coal mines and conduct regular safety inspections of their subordinate coal mines.

Article 36 — Where a coal mining enterprise falls under any of the following circumstances, which constitutes a major accident hazard, it shall immediately stop production and construction in the affected area and eliminate the accident hazard in a timely manner:

(1) organizing production beyond capacity, beyond intensity or beyond the fixed number of personnel;

(2) operating with gas exceeding limits;

(3) failing to implement outburst prevention measures in coal (rock) and gas (carbon dioxide) outburst mines as required;

(4) failing to establish a gas drainage system in coal (rock) and gas (carbon dioxide) outburst mines or high-gas mines as required, or the system being unable to operate normally;

(5) the ventilation system being incomplete or unreliable;

(6) mining beyond levels or beyond boundaries;

(7) having serious water hazards and failing to take effective measures;

(8) having rockburst hazards and failing to take effective measures;

(9) having serious spontaneous combustion and failing to take effective measures;

(10) using equipment or processes that should be eliminated and that endanger work safety;

(11) failing to establish a monitoring and communication system as required, or the system being unable to operate normally;

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(12) the slope angle of an open-pit coal mine being greater than the designed maximum value, or serious deformation of the slope occurring, without effective measures being taken;

(13) failing to adopt a dual-circuit power supply system as required;

(14) producing while constructing in a newly built coal mine; or, during the reconstruction or expansion of a coal mine, producing in the reconstructed or expanded area, or production in other areas exceeding the scope and scale prescribed by the design;

(15) engaging in production without re-obtaining or promptly changing the work safety permit after adopting overall contract production and operation, or the contractor subcontracting again, or outsourcing underground mining faces and roadway maintenance operations;

(16) during restructuring, merger or division, failing to specify the person responsible for work safety and the work safety management body, or failing to re-obtain or promptly change the work safety permit after completing the restructuring, merger or division; or

(17) having other major accident hazards.

Article 37 — Coal mining enterprises and their relevant personnel shall cooperate with the departments of people's governments at or above the county level that are responsible for the supervision and administration of coal mine work safety, and with the national mine safety supervision institution and its local mine safety supervision institutions, in performing their duties in accordance with the law, shall truthfully provide relevant information as required, and shall not conceal, refuse or obstruct.

Coal mining enterprises shall immediately rectify accident hazards investigated and handled by the departments of people's governments at or above the county level that are responsible for the supervision and administration of coal mine work safety and by the national mine safety supervision institution and its local mine safety supervision institutions, and shall report the rectification results as required.

Article 38 — Coal mining enterprises shall arrange work safety expenses and other funds in full and on time to ensure compliance with work safety requirements. The decision-making body and the principal person in charge of a coal mining enterprise shall bear responsibility for the consequences caused by insufficient investment in funds necessary for work safety.

Chapter III — Supervision and Administration of Coal Mine Work Safety

Article 39 — Coal mine work safety shall implement a responsibility system for local party and government leaders and cadres for work safety, and strengthen the territorial management of coal mine work safety.

Article 40 — The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, in accordance with the principle of classified and tiered supervision, specify the subjects responsible for supervising the work safety of coal mining enterprises.

The relevant competent departments of people's governments at or above the county level shall, in accordance with the law, investigate and handle coal mine production conducted without a work safety permit or other authorization.

Where township people's governments discover, within their jurisdiction, coal mine production conducted without a work safety permit or other authorization, they shall take effective measures to stop it and report to the relevant competent departments of the people's governments at the county level.

Article 41 — The department of the people's government of a province, autonomous region or municipality directly under the Central Government that is responsible for the supervision and administration of coal mine work safety shall complete its review of the design of safety facilities of a coal mine construction project within 30 days from the date of acceptance, sign its opinion of approval or disapproval, and give a written reply.

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The department of the people's government of a province, autonomous region or municipality directly under the Central Government that is responsible for the supervision and administration of coal mine work safety shall strengthen supervision and verification of the acceptance activities and acceptance results of safety facilities carried out by the construction entity.

Article 42 — The department of the people's government of a province, autonomous region or municipality directly under the Central Government that is responsible for the supervision and administration of coal mine work safety shall be responsible for the issuance and administration of work safety permits for coal mining enterprises, and shall accept the supervision of the national mine safety supervision institution and its local mine safety supervision institutions.

Article 43 — The department of a local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety shall prepare an annual supervision and inspection plan for coal mine work safety and carry out supervision and inspection in accordance with the plan.

The annual supervision and inspection plan for coal mine work safety shall be copied to the local mine safety supervision institution.

Article 44 — The department of a local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety shall, in accordance with the law, conduct supervision and inspection of coal mining enterprises, and shall take the on-site work safety conditions of coal mines as the key content of supervision and inspection. Supervision and inspection may take the following measures:

(1) entering coal mining enterprises for inspection, with focus on inspection of front-line production workplaces, consulting relevant materials, and learning about the situation from relevant entities and personnel;

(2) correcting on the spot, or requiring correction within a time limit of, work safety violations discovered during inspection;

(3) ordering the immediate elimination of accident hazards discovered during inspection; where safety cannot be guaranteed before the elimination of major accident hazards or during the process of elimination, ordering the evacuation of operating personnel from the dangerous area and ordering temporary suspension of production or suspension of use of the relevant facilities and equipment;

(4) sealing up or seizing facilities, equipment and devices that, on reasonable grounds, do not comply with national standards or industry standards for ensuring work safety.

Supervision and inspection shall not affect the normal production and operation activities of coal mining enterprises.

Article 45 — The department of a local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety shall include major accident hazards in the relevant information system, establish and improve a system of supervision of the rectification of major accident hazards, and urge coal mining enterprises to eliminate major accident hazards.

Article 46 — The department of a local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety shall strengthen supervision of technical service institutions for coal mine work safety.

Technical service institutions for coal mine work safety that undertake duties such as safety assessment, certification, inspection and testing shall carry out work safety technical service activities in accordance with the provisions of relevant laws and regulations and national standards or industry standards, and shall be responsible for the reports they issue, and shall not lease qualifications, operate under affiliation, or issue

false reports.

Article 47 — The people's governments at or above the county level and their relevant departments shall, in accordance with the law and regulations, impose punishment for dishonest conduct on coal mining enterprises, technical service institutions for coal mine work safety and the relevant employees that engage in dishonest conduct in work safety.

Article 48 — For coal mining enterprises ordered to suspend production for rectification, the relevant local people's governments shall, during the period of suspension for rectification, take effective measures to conduct supervision and inspection.

Where a coal mining enterprise is ordered to suspend production for rectification in accordance with the law due to work safety violations or major accident hazards, it shall formulate a rectification plan and carry out rectification. Where it requests resumption of production after the rectification is completed, the department of the local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety shall organize acceptance, and shall complete the acceptance within 20 days from the date of receipt of the application for resumption of production. Where the acceptance is passed, production may be resumed only after the acceptance is signed by the principal person in charge of the department, reviewed and approved by the local mine safety supervision institution, and reported for approval by the principal person in charge of the people's government at the corresponding level.

Article 49 — The department of a local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety shall, within five working days, publicly announce coal mining enterprises ordered to suspend production for rectification or to be closed; for coal mining enterprises ordered to suspend production for rectification that resume production after passing acceptance, it shall publicly announce the resumption within five working days from the date of resumption of production.

Chapter IV — Coal Mine Safety Supervision

Article 50 — The national mine safety supervision institution and its local mine safety supervision institutions shall perform their coal mine safety supervision duties in accordance with the law, strengthen supervision and inspection of the coal mine work safety supervision and administration performed by local people's governments at or above the county level, and promptly notify the relevant local people's governments of the results of supervision and inspection, put forward supervision opinions and suggestions for improving and strengthening coal mine work safety, and urge the implementation of rectification and re-inspection of major accident hazards.

Local people's governments at or above the county level shall cooperate with and accept the supervision and inspection of the national mine safety supervision institution and its local mine safety supervision institutions, and shall implement supervision opinions and suggestions in a timely manner.

Article 51 — Local mine safety supervision institutions shall exercise supervision over coal mine work safety within their jurisdictions; key supervision shall be implemented in areas where accidents occur frequently. The national mine safety supervision institution shall, according to actual conditions, organize comprehensive supervision or key supervision of coal mine work safety nationwide.

Article 52 — The national mine safety supervision institution and its local mine safety supervision institutions may, when conducting supervision and inspection of the coal mine work safety supervision and administration performed by local people's governments at or above the county level, adopt the following methods:

(1) hearing work reports of the relevant local people's governments and their departments responsible for the supervision and administration of coal mine work safety;

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(2) consulting and copying documents, archives, work records and other materials related to coal mine work safety;

(3) requiring the relevant local people's governments, their departments responsible for the supervision and administration of coal mine work safety, and the relevant personnel to provide explanations on issues concerning coal mine work safety;

(4) other methods necessary to adopt.

Article 53 — The national mine safety supervision institution and its local mine safety supervision institutions, when performing coal mine safety supervision duties, shall have the right to enter coal mine workplaces for inspection, attend work safety meetings of coal mining enterprises, and learn about the situation from the relevant coal mining enterprises and personnel.

Where the national mine safety supervision institution and its local mine safety supervision institutions discover accident hazards at a coal mine site, they shall have the right to require immediate elimination or elimination within a time limit; where they discover commands in violation of rules, orders forcing work at risk, operations in violation of rules or other work safety violations, they shall have the right to correct them immediately or require immediate cessation of operations; where they discover an emergency threatening safety, they shall have the right to require the immediate cessation of operations in the dangerous area and the evacuation of operating personnel.

Mine safety supervision personnel shall present their law enforcement credentials when performing coal mine safety supervision duties.

Article 54 — Where the national mine safety supervision institution and its local mine safety supervision institutions discover that a coal mining enterprise has major accident hazards and order it to suspend production for rectification, they shall promptly transfer the matter to the department of the local people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety for handling, and shall supervise the handling.

Article 55 — Where the national mine safety supervision institution and its local mine safety supervision institutions discover that a coal mining enterprise has committed a violation that should be handled by other departments, they shall promptly transfer the matter to the relevant departments for handling.

Article 56 — The national mine safety supervision institution and its local mine safety supervision institutions and the relevant departments of people's governments at or above the county level shall establish mechanisms for information sharing and case transfer and strengthen coordination and cooperation.

Article 57 — The national mine safety supervision institution and its local mine safety supervision institutions shall strengthen the informatization of coal mine work safety and use information technology to enhance the level of law enforcement.

Coal mining enterprises shall, in accordance with the work safety electronic data standards formulated by the national mine safety supervision institution, connect to the network and upload electronic data in real time, and shall be responsible for the authenticity, accuracy and completeness of the uploaded electronic data.

Article 58 — The national mine safety supervision institution and its local mine safety supervision institutions shall, in accordance with the law, supervise and inspect the implementation by coal mining enterprises of work safety laws and regulations, coal mine safety rules and national standards or industry standards for ensuring work safety, and shall exercise the powers prescribed in Article 44 of these Regulations.

Article 59 — After a coal mine production safety accident occurs, the coal mining enterprise and its person in charge shall promptly take effective measures to organize rescue and, in accordance with the provisions of the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents, shall immediately and truthfully report to the local emergency management department, the department

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responsible for the supervision and administration of coal mine work safety and the local mine safety supervision institution.

The national mine safety supervision institution and its local mine safety supervision institutions shall, according to the grade of the accident and work needs, dispatch working groups to the accident scene to guide and cooperate with the local people's government of the place where the accident occurred in carrying out emergency rescue work.

Article 60 — Coal mine production safety accidents shall be investigated and handled by levels according to the grade of the accident.

Particularly major accidents shall be organized for investigation and handling by the State Council or by the relevant departments authorized by the State Council in accordance with the provisions of the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents. Major accidents, relatively major accidents and ordinary accidents shall be organized for investigation and handling by the national mine safety supervision institution and its local mine safety supervision institutions in accordance with the provisions of the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents.

Chapter V — Legal Liability

Article 61 — Whoever engages in coal mine production without obtaining a work safety permit or other authorization shall be ordered to stop production immediately, and the illegal gains, the coal mined and the mining equipment shall be confiscated; where the illegal gains are 100,000 yuan or more, a fine of not less than two times and not more than five times the illegal gains shall be imposed concurrently; where there are no illegal gains or the illegal gains are less than 100,000 yuan, a fine of not less than 100,000 yuan and not more than 200,000 yuan shall be imposed concurrently.

A closed coal mining enterprise that resumes production without authorization shall be punished in accordance with the provisions of the preceding paragraph.

Article 62 — Where a coal mining enterprise commits any of the following acts, it shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China:

(1) failing to establish a work safety management body and staff it with work safety management personnel as required;

(2) the principal person in charge and work safety management personnel failing to pass the assessment as required and continuously maintain the corresponding level and ability;

(3) failing to carry out work safety education and training as required, failing to truthfully inform of the relevant work safety matters as required, or failing to truthfully record the work safety education and training;

(4) personnel performing special operations failing to undergo special safety operation training and obtain the corresponding qualifications as required before taking up their posts;

(5) conducting hazardous operations without adopting special safety technical measures and arranging dedicated personnel for on-site safety management;

(6) failing to establish and implement a system of hierarchical management and control of safety risks and a system for the investigation and rectification of accident hazards as required, or failing to report the investigation and rectification of major accident hazards as required;

(7) failing to formulate emergency rescue plans for production safety accidents as required or failing to organize regular drills.

Article 63 — Where a coal mining enterprise commits any of the following acts, it shall be ordered to make corrections within a time limit and shall be fined not less than 100,000 yuan and not more than 200,000 yuan;

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where it fails to make corrections within the time limit, it shall be ordered to suspend production for rectification and shall be fined not less than 200,000 yuan and not more than 500,000 yuan, and the directly responsible person in charge and other directly responsible personnel shall be fined not less than 30,000 yuan and not more than 50,000 yuan:

(1) failing to formulate and implement a responsibility system for work safety covering all employees and work safety rules and regulations such as leadership duty on shift, as required;

(2) failing to staff the coal mine with a mine manager and other personnel and bodies as required, or failing to establish a rescue team as required;

(3) the main production systems and safety facilities of the coal mine not complying with coal mine safety rules and national standards or industry standards;

(4) failing to prepare special designs as required;

(5) an underground coal mine failing to conduct identification of gas grade, rockburst hazard, coal seam spontaneous combustion tendency and coal dust explosiveness as required;

(6) the safety distance between the slopes of the mining area and spoil disposal area of an open-pit coal mine and important buildings and structures not complying with the provisions, or failing to maintain the slope stability of the open-pit coal mine as required;

(7) giving commands in violation of rules or forcing employees to work at risk, or operating in violation of the rules.

Article 64 — For a coal mining enterprise that continues production despite the existence of major accident hazards, production shall be ordered to be suspended for rectification, the specific requirements such as the content and time limit of rectification shall be specified, and a fine of not less than 500,000 yuan and not more than 2,000,000 yuan shall be imposed; the principal person in charge of the coal mining enterprise shall be fined not less than 30,000 yuan and not more than 150,000 yuan.

Article 65 — Where a coal mining enterprise mines beyond the mining scope determined in accordance with the law, it shall be handled in accordance with the provisions of the relevant laws and regulations.

Whoever mines protective coal pillars without authorization or adopts dangerous methods such as water inrush, blasting or through-cutting roadways that may endanger the work safety of adjacent coal mines shall be ordered to stop operations immediately and the illegal gains shall be confiscated; where the illegal gains are 100,000 yuan or more, a fine of not less than two times and not more than five times the illegal gains shall be imposed concurrently; where there are no illegal gains or the illegal gains are less than 100,000 yuan, a fine of not less than 100,000 yuan and not more than 200,000 yuan shall be imposed concurrently; where losses are caused, liability for compensation shall be borne in accordance with the law.

Article 66 — Where a coal mining enterprise commits any of the following acts, it shall be ordered to make corrections; where it refuses to make corrections, it shall be fined not less than 100,000 yuan and not more than 200,000 yuan, and the directly responsible person in charge and other directly responsible personnel shall be fined not less than 10,000 yuan and not more than 20,000 yuan:

(1) concealing the accident hazards and other safety problems that exist, in violation of the provisions of paragraph 1 of Article 37 of these Regulations;

(2) unsealing or using without authorization the facilities, equipment and devices that have been sealed up or seized, in violation of the provisions of paragraph 1 of Article 44 of these Regulations;

(3) committing other acts of refusing or obstructing supervision and inspection.

Article 67 — Where a coal mine production safety accident occurs, in addition to requiring the responsible coal mining enterprise to bear the corresponding compensation and other liabilities in accordance with the

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law, a fine shall be imposed in accordance with the following provisions:

(1) where an ordinary accident occurs, a fine of not less than 500,000 yuan and not more than 1,000,000 yuan;

(2) where a relatively major accident occurs, a fine of not less than 1,500,000 yuan and not more than 2,000,000 yuan;

(3) where a major accident occurs, a fine of not less than 5,000,000 yuan and not more than 10,000,000 yuan;

(4) where a particularly major accident occurs, a fine of not less than 10,000,000 yuan and not more than 20,000,000 yuan.

Where a coal mine production safety accident occurs under particularly serious circumstances or with particularly adverse impact, the responsible coal mining enterprise may be fined not less than two times and not more than five times the amount of the fine prescribed in the preceding paragraph.

Article 68 — Where the decision-making body, the principal person in charge, other persons in charge and work safety management personnel of a coal mining enterprise fail to perform their work safety management duties in accordance with the law, they shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China and shall bear corresponding liability.

Where the principal person in charge of a coal mining enterprise fails to perform his or her work safety management duties in accordance with the law, resulting in a coal mine production safety accident, a fine shall be imposed in accordance with the following provisions:

(1) where an ordinary accident occurs, a fine of 40 percent of the annual income of the preceding year;

(2) where a relatively major accident occurs, a fine of 60 percent of the annual income of the preceding year;

(3) where a major accident occurs, a fine of 80 percent of the annual income of the preceding year;

(4) where a particularly major accident occurs, a fine of 100 percent of the annual income of the preceding year.

Article 69 — Where a coal mining enterprise and its relevant personnel conceal or falsely report an accident or commit other acts, they shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China and the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents.

Where the relevant local people's governments and their emergency management departments, the departments responsible for the supervision and administration of coal mine work safety and the local mine safety supervision institutions conceal or falsely report an accident or commit other acts, the responsible leaders and directly responsible personnel shall be given sanctions in accordance with the law.

Article 70 — Where a coal mining enterprise falls under any of the following circumstances, it shall be submitted to the local people's government at or above the county level for closure:

(1) engaging in production without obtaining a work safety permit or other authorization;

(2) being found to have major accident hazards and continuing production on two or more occasions within three months;

(3) where, after expert demonstration organized by the local people's government, it is difficult to effectively prevent and control major hazards under the existing technical conditions;

(4) other circumstances prescribed by the Work Safety Law of the People's Republic of China that require submission for closure.

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Where the relevant local people's government makes a decision of closure, it shall organize implementation immediately. The closure of a coal mine shall meet the following requirements:

(1) revoking or canceling the relevant certificates and licenses in accordance with the provisions of laws and regulations;

(2) stopping supply of and properly disposing of civil explosives;

(3) cutting off power supply and dismantling the production equipment, power supply and communication lines of the mine;

(4) sealing and filling the mine shafts, leveling the shaft sites and restoring the landform;

(5) properly handling labor relations, paying economic compensation and work-related injury insurance benefits in accordance with the law and regulations, organizing occupational health examinations upon leaving posts, repaying the wages owed and making up the social insurance premiums owed;

(6) erecting signboards;

(7) submitting and transferring the relevant reports, drawings, materials and so forth;

(8) other requirements prescribed by relevant laws and regulations.

Article 71 — Under any of the following circumstances, punishment shall be imposed in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China:

(1) a coal mine construction project having no design of safety facilities, or the design of safety facilities not having been submitted for review and approval by the relevant departments as required;

(2) the construction entity of a coal mine construction project failing to carry out construction in accordance with the approved design of safety facilities;

(3) the safety facilities of a coal mine construction project not having passed acceptance before the project is completed and put into production or use;

(4) a coal mining enterprise violating the provisions of paragraph 1 of Article 24, paragraphs 1 and 2 of Article 25, or paragraph 2 of Article 26 of these Regulations.

Article 72 — Where a technical service institution for coal mine work safety that undertakes duties such as safety assessment, certification, inspection and testing issues inaccurate reports, leases qualifications, operates under affiliation or issues false reports, the institution, its directly responsible person in charge and other directly responsible personnel shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China and shall be held liable accordingly. Where its principal person in charge bears responsibility for a major or particularly major coal mine production safety accident, he or she shall be prohibited for life from engaging in technical services related to coal mine work safety.

Article 73 — The administrative penalties prescribed in these Regulations shall be decided by the departments of people's governments at or above the county level that are responsible for the supervision and administration of coal mine work safety and other relevant departments, and by the national mine safety supervision institution and its local mine safety supervision institutions, according to the division of responsibilities, and no fine shall be imposed more than twice for the same violation. For a coal mining enterprise ordered to suspend production for rectification, its work safety permit shall be temporarily withheld. Serious violations of these Regulations shall be given heavier punishment in accordance with the law.

Article 74 — Where the local people's governments at all levels, the departments of people's governments at or above the county level that are responsible for the supervision and administration of coal mine work safety and other relevant departments, and the national mine safety supervision institution and its local mine safety

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supervision institutions fall under any of the following circumstances, the responsible leaders and directly responsible personnel shall be given sanctions in accordance with the law:

(1) the department of a people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety, or the national mine safety supervision institution or its local mine safety supervision institutions failing to perform their duties in accordance with the law, or failing to investigate and handle major accident hazards and work safety violations within their jurisdiction in a timely manner; or other relevant departments of the people's government at or above the county level failing to perform their related duties in coal mine work safety in accordance with the law;

(2) a township people's government discovering coal mine production without a work safety permit or other authorization within its jurisdiction but failing to take effective measures to stop it or failing to report to the relevant competent departments of the people's government at the county level;

(3) for a coal mining enterprise ordered to suspend production for rectification, the coal mining enterprise continuing production during the period of suspension for rectification due to ineffective supervision and inspection by the relevant local people's government;

(4) the closure of a coal mine failing to meet the requirements prescribed in paragraph 2 of Article 70 of these Regulations;

(5) the department of a people's government at or above the county level that is responsible for the supervision and administration of coal mine work safety, or the national mine safety supervision institution or its local mine safety supervision institutions failing to handle reports in a timely manner after receiving them;

(6) the local people's government at or above the county level and its relevant departments requiring a coal mining enterprise that does not meet work safety conditions to carry out production;

(7) committing other acts of abusing power, neglecting duty or engaging in malpractices for personal gain.

Article 75 — Whoever violates these Regulations and constitutes a crime shall be investigated for criminal liability in accordance with the law.

Chapter VI — Supplementary Provisions

Article 76 — These Regulations shall come into force on May 1, 2024. The Regulations on Coal Mine Safety Supervision and the Special Provisions of the State Council on the Prevention of Coal Mine Production Safety Accidents shall be repealed simultaneously.

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